

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.2509 OF 2022

IN
FIRST APPEAL ST NO.2804 OF 2022

Manohar s/o Pandurang Khadse

Vs.

The State of Maharashtra through the Collector, Yavatmal and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. B. Nakshane, Advocate for appellant.

Ms. Shamsi Haider, AGP for respondent Nos.1 and 2.

Ms. Ashwini S. Athalye, Advocate for respondent No.3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 09/01/2023

1. By this application, applicant is seeking condonation of delay of 3001 days which is caused in filing appeal against the judgment and award passed by 2nd Joint Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.61 of 2009. As per the contention of the applicant his land is acquired and there is no source of income available for them and due to the poor financial condition, they could not file appeal within time.

2. Respondents raised objection for condonation of delay on the ground that there is no satisfactory and reasonable cause. Alternatively, it is submitted delay be condoned on waiver of the interest.

3. Considering the reasons mentioned in the application, the delay of 3001 days is condoned, subject to the waiver of interest for the delay.

4. Civil Application is disposed of.

FIRST APPEAL NO OF

1. **Admit.**

2. Ms. Shamsi Haider, learned AGP waives notice for respondent Nos.1 and 2.

3. Ms. Ashwini S. Athalye, learned Advocate waives notice for respondent No. 3.

4. Call for Record and Proceedings.

5. The learned Advocate for the appellant submitted that the private paper-book be dispensed with as the matter is covered by the earlier judgment.

6. Place the matter for receipt of Record and Proceedings, after four weeks.

(URMILA JOSHI-PHALKE, J.)

Sarkate